FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 2444 OF 2005

Office notes, office Memoranda of appearances, Court's orders or directions & Registrar's orders.	Court's or Judge's Orders

Mr. R. D. Suryawanshi for applicant

Ms. P.H. Kantharia, APP

CORAM: SMT. RANJANA DESAI &
ANOOP V. MOHTA, **JJ.**
DATED: 18/10/2005

P.C.:-

The petitioner is the wife of one Shashikant Mhatre. It is stated in the petition that petitioner's husband is involved in 11 cases out of which he has been acquitted in five cases. In one case he was charged for an offence under Section 307 of the Indian Penal Code. He was convicted by the trial court. The appeal has been admitted in this court and he has been released on bail. As of today four criminal cases are pending against him.

Though in the petition the nature of the cases in which the petitioner has been acquitted have been given, the nature of the cases which are pending against the petitioner have not been stated. There are 19 respondents in this petition out of which 14 respondents are Senior Police Inspectors of different police stations of Thane district.

The petitioner has made several prayers. She has sought protection and she has also prayed that the police be directed to follow the guide-lines laid down by the Supreme Court in the case of D. K. Basu v. State of West Bengal, 1997 S C C (Cri) 92.

We have carefully perused the petition. We find that the contents of the petition are vague. There are no specific allegations made against the police. It is alleged that the petitioner and her husband are receiving telephonic calls late in the night from various police stations

giving threats that the husband of the petitioner will be killed in fake encounter. On such vague averments orders directing police to grant protection cannot be passed. For protection it is always open for the petitioner to make necessary application to the Commissioner of Police Thane city and Superintendent of Police, Thane District. We are sure that if such an application is made making clear averments, the Commissioner of Police, Thane will consider it in accordance with law. As regards guide-lines given by the Supreme Court in D. K. Basu's case is concerned, needless to say that they are applicable to all the police stations.

With this observation petition is disposed of.

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